

1AP20 Rac'd PCT/US 08 JUN 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
 Serial No.: Not yet assigned)
 Inventor: McAuley and Milivojevic)
 Filed: Herewith)
 For: BREATHING)
 ASSISTANCE)
 APPARATUS)
 Atty Ref.: 1170/45164/158-PCT-US)

Certificate of Mailing by "Express Mail"

Mailing Label Number EL984133958USDate of Deposit: June 8, 2006

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office Box Addressee" service under 35 CFR 1.10 on the date indicated above and is addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Tiffany E. Lynch
Tiffany E. Lynch

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

In accordance with Applicant's duty of candor under 37 CFR §1.56 and in compliance with 37 CFR §1.97 and §1.98, Applicant submits the present Information Disclosure Statement and Form PTO/SB/08A.

This Information Disclosure Statement is being filed concurrently with the patent application and constitutes a bona fide attempt to comply with 37 CFR §1.97 and §1.98.

In accordance with 37 CFR §1.98(2)(ii) Applicant has not included copies of the United States patents/applications.

In accordance with 37 C.F.R. §1.97, the presentation of this information shall not be construed as a representation that no other material information as defined in 37 C.F.R. §1.56

1058247 CAU: 4138
AP20 Rec'd PCT/PTO 08 JUN 2006

exists, or as an admission that the information cited in this statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56.

Should the Examiner believe a fee is required, the United States Patent and Trademark Office is hereby authorized and requested to charge the fee to the deposit account of the undersigned firm, Account No. 20-1495.

Respectfully submitted,

Dated: June 8, 2006

By: 

Raiford A. Blackstone, Reg. No. 25,156
Linda L. Palomar, Reg. No. 37,903
TREXLER, BUSHNELL, GIANGIORGI,
BLACKSTONE & MARR, LTD.
105 W. Adams Street, 36th Floor
Chicago, Illinois 60603
312-704-1890

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

| | |
|----------------------|-------------------------------|
| Application Number | Not Yet Assigned 10/582447 |
| Filing Date | Herewith |
| First Named Inventor | Alastair Edwin McAuley |
| Art Unit | Not Yet Assigned |
| Examiner Name | Not Yet Assigned |

Attorney Docket Number 1171/45167/170-PCT-US

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|-----------------------|---|--------------------------------|--|---|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | | | | |
| | | WO 00/78384 | 12/28/2000 | Resmed Limited | | |
| | | WO 1998/004310 | 02/05/1998 | Resmed Limited | | |
| | | EP 1258266 | 11/20/2002 | Tiara Medical Systems Inc | | |
| | | EP 0427474 | 05/15/1991 | Smiths Industries Medical | | |
| | | WO 01/97893 | 12/27/2001 | Resmed Limited | | |
| | | WO 2004/007010 | 01/22/2004 | Fisher & Paykel Healthcar | | |

| | | | |
|--------------------|----------------|-----------------|------------|
| Examiner Signature | /Rachel Young/ | Date Considered | 07/20/2009 |
|--------------------|----------------|-----------------|------------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language

appropriate symbols as indicated on the document under VII-C Standard 37 CFR 1.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /R.T.Y.